

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 10-96 (1) (RHK/RLE)

Plaintiff,

ORDER

v.

Edward Joseph Lowen,

Defendant.

Before the Court are Defendant's Objections to the June 1, 2010 Report and Recommendation of Chief Magistrate Judge Raymond L. Erickson. Following a motions hearing, Judge Erickson, in a thorough and well-reasoned decision, recommended the denial of Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure, the denial, in part, of Defendant's Motion to Suppress Statements, Admissions and Answers, and the denial of Defendant's Motion to Suppress Eyewitness Identification.

The undersigned has conducted a de novo review of the Report and Recommendation and the Objections thereto, including the written submissions of counsel and the transcript of the May 10, 2010 Motions hearing. That review demonstrates that Judge Erickson's recommended disposition is fully supported by the record before him and by controlling legal authorities.

Accordingly, and upon all the files, records and proceedings herein, **IT IS**

ORDERED:

1. The Objections (Doc. No. 50) are **OVERRULED**;
2. The Report and Recommendations (Doc. No. 44) is **ADOPTED**;
3. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 28) is **DENIED**;
4. Defendant's Motion to Suppress Statements, Admissions, and Answers (Doc. No. 29) is **DENIED IN PART AND GRANTED IN PART**, as more fully detailed in the text of the Report and Recommendation; and
5. Defendant's Motion to Suppress Eyewitness Identifications (Doc. No. 31) is **DENIED**.

Dated: June 25, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge